

**DISTRICT OF  
COLUMBIA  
MUNICIPAL  
REGULATIONS  
for  
RESPIRATORY  
THERAPY**

**CHAPTER 76        RESPIRATORY THERAPY**

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**7600        GENERAL PROVISIONS**

- 7600.1        This chapter shall apply to any person who applies for or holds a license to practice respiratory therapy in the District of Columbia (“District”).
- 7600.2        The provisions of this chapter shall be supplemented by the provisions of Chapter 35 of this title, entitled “Occupational and Professional License Fee Schedule”, Chapter 40 of this title, entitled “Health Occupations: General Rules”, and Chapter 41 of this title, entitled “Health Occupations: Administrative Procedures”.

**7601        TERM OF LICENSE**

- 7601.1        A license issued pursuant to this chapter shall be effective for not more than two years and shall expire at 12:00 midnight on January 31<sup>st</sup> of each odd-numbered year. The Director of the Department of Health may establish a different term and expiration date, by rule.

**7602        EDUCATIONAL REQUIREMENTS**

- 7602.1        Except as provided in § 7605, each Applicant for a license to practice respiratory therapy shall submit proof, satisfactory to the Board, that the Applicant has successfully completed an educational program in the practice of respiratory therapy at an institution accredited by the American Medical Association Committee on Allied Health Education and Accreditation (CAHEA), upon the recommendation of the Joint Review Committee for Respiratory Therapy Education (JRCRTE), or their successor organizations.
- 7602.2        For purposes of this section, proof satisfactory to the Board of successful completion of an educational program shall be an official transcript, notarized diploma, or certificate of completion from an institution accredited by the CAHEA and JRCRTE.

**7603 APPLICANTS EDUCATED IN FOREIGN COUNTRIES**

7603.1 An Applicant who was educated in a foreign country shall satisfy the educational requirements in § 7602.

**7604 NATIONAL EXAMINATION**

7604.1 In addition to satisfying the educational requirements set forth in § 7602, an Applicant shall receive a passing score on the National Board Examination (“NBE”) developed and administered by the National Board for Respiratory Care (“NBRC”). The passing score for the NBE for purposes of these rules shall be the passing score determined by the NBRC.

7604.2 Each Applicant for a license by examination shall submit to the Board a completed application and the Applicant’s NBE results, which shall be certified or validated by the NBRC.

**7605 LICENSURE BY ENDORSEMENT**

7605.1 The Board shall issue a license to practice respiratory therapy, by endorsement to an Applicant who:

- (a) Is currently licensed or certified by another state;
- (b) Is in good standing under the laws of another state with standards that the Board determines to be comparable to the requirements of the Act and this chapter; and
- (c) Pays the applicable fee.

**7606 RENEWAL, REACTIVATION, OR REINSTATEMENT OF A LICENSE; CONTINUING EDUCATION REQUIREMENTS**

7606.1 Each Applicant for renewal, reactivation, or reinstatement of a license to practice respiratory therapy in the District shall demonstrate successful completion of approved Continuing Education Units (“CEU”) in accordance with this section.

7606.2 For the purposes of this section, an approved CEU shall be a CEU granted for a seminar, workshop, or program approved by the Board in accordance with § 7607.

7606.3 The Board may approve a CEU for a whole hour only. To qualify for an hour of CEU credit, the seminar, workshop, or program shall include at least fifty (50) minutes of curriculum.

- 7606.4 An Applicant shall prove successful completion of an approved CEU by submitting an application that includes the following information with respect to each seminar, workshop, or program
- (a) The name of the seminar, workshop, or program, a description of the subject matter covered, and the name of the instructor;
  - (b) The date on which the Applicant attended the seminar, workshop, or program;
  - (c) The approved CEU granted; and
  - (d) The signature or stamp of the sponsor to verify that the Applicant successfully completed the approved CEU.
- 7606.5 To qualify for reactivation of a license to practice respiratory therapy, a person in inactive status, as defined in § 511 of the Act (D.C. Official Code § 3-1205.11), shall submit proof of having successfully completed eight (8) approved CEUs for each year that the Applicant was in inactive status, up to a maximum of forty (40) CEUs.
- 7606.6 To qualify for reinstatement of a license, an Applicant shall submit proof of having successfully completed eight (8) approved CEUs for each year after January 31, 2003, that the applicant's license was not renewed, up to a maximum of forty (40) CEUs. If an Applicant whose license has expired does not apply for reinstatement of a license pursuant to this section within five (5) years of the date that the Applicant's license expires, the Applicant shall meet the requirements for obtaining an initial license.
- 7606.7 To qualify for renewal of a license, an Applicant shall submit proof of having successfully completed sixteen (16) approved CEUs during the two-year period preceding the date that the Applicant's license expires.
- 7606.8 An Applicant for renewal of a license who fails to submit proof of having completed the CEUs set forth in § 7606.7 by the date the Applicant's license expires may renew the expired license within sixty (60) days after the date that the Applicant's license expires by submitting proof of having completed the CEU requirements set forth in § 7606.7, and paying a late fee.
- 7606.9 If an Applicant for renewal of a license submits the proof and pays the late fee required by § 7606.8, the Applicant shall be deemed to have held a valid license from the date of expiration of the Applicant's license through the date that the required documentation is submitted and the late fee is paid.
- 7606.10 If an Applicant for renewal of a license fails to submit the proof and pay the late fee required by § 7606.9 within sixty (60) days after the date that the Applicant's license expires, the expired license shall be deemed to have lapsed on the

expiration date and the Applicant shall apply for reinstatement of a license pursuant to § 7606.6. If the Applicant's license lapses, the Applicant shall be subject to disciplinary action, including denial of a license, if the Applicant practices respiratory therapy after the date that the license lapses.

7606.11 The Board may extend the sixty (60) day period to renew if the Applicant demonstrates "good cause" for the failure to submit the proof and pays the late fee required by § 7606.8 within sixty (60) days after the date that the Applicant's license expires. For purposes of this subsection, "good cause" means:

- (a) The serious and protracted illness of the Applicant; or
- (b) The death or serious and protracted illness of a member of the Applicant's immediate family

## **7607 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES**

7607.1 The Board shall approve continuing education programs and activities that enhance an Applicant's professional competence in the practice of respiratory therapy.

7607.2 The Board may approve a seminar, workshop, or an educational program given at a conference for approved CEU credit, if the seminar, workshop, or program meets the requirements of § 7607.4.

7607.3 The Board may approve CEU credit for an Applicant who serves as an instructor or speaker at a seminar, workshop, or program that meets the requirements of § 7607.4 for both preparation and presentation time, subject to the following restrictions:

- (a) The maximum number of approved CEUs that may be granted for preparation time is twice the number of hours spent preparing for the presentation; and
- (b) The maximum number of approved CEUs that may be granted pursuant to this subsection is fifty percent (50%) of an Applicant's CEU requirement.

7607.4 To qualify for approval by the Board, a continuing respiratory care education seminar, workshop, or program shall:

- (a) Be current in its subject matter;
- (b) Be developed and taught by a person whom the Board determines to be qualified to conduct a continuing respiratory care education seminar, workshop, or program; and

- (c) (1) Be submitted by the program sponsors to the Board for review not less than sixty (60) days prior to the date of the presentation and be approved by the Board; or
- (2) Be administered or approved by:
  - (A) A national, state or local respiratory organization recognized by the Board;
  - (B) A health care facility accredited by the Joint Commission on the Accreditation of Health Care Organizations (JCAHCO); or
  - (C) A college or university approved by an accrediting body recognized by the Council on Postsecondary Accreditation or the Secretary of the United States Department of Education.

7607.5 The Board may issue and update a list of national, state or local respiratory therapy organizations recognized by the Board for purposes of § 7607.4(c)(2)(A) and may issue and update a list of approved continuing education seminars, workshops, and programs.

7607.6 The Applicant shall verify that a seminar, workshop, or program is approved by the Board pursuant to this section, prior to attending the seminar, workshop or program.

## **7608 PRACTICE OF RESPIRATORY CARE BY STUDENTS OR APPLICANTS**

7608.1 This section shall apply to:

- (a) A student enrolled in an approved school or college as a candidate for a degree or a certificate in respiratory therapy; and
- (b) An Applicant whose first application for a license to practice respiratory therapy in the District has been submitted to the Board and a decision on the application is pending.

7608.2 A student or Applicant may practice respiratory therapy only in accordance with the Act and this section.

7608.3 A student shall practice respiratory therapy in a hospital, nursing home, health facility, or health education center operated by the District or federal government or at a health care facility that the student's school or college determines to be appropriate for this purpose.

- 7608.4 An applicant may practice respiratory therapy in a hospital, nursing home, or health facility operated by the District or federal government or any private health care facility.
- 7608.5 The student or Applicant shall practice respiratory therapy only under the direct supervision of a licensed respiratory care practitioner who collaborates with a licensed physician.
- 7608.6 When practicing respiratory therapy, a student or Applicant shall wear an identifying name tag or badge that indicates student or Applicant status.
- 7608.7 A licensed respiratory care practitioner who supervises a student or Applicant shall be fully responsible for the student's or Applicant's practice of respiratory therapy under the licensed practitioner's or physician's supervision and shall be subject to disciplinary action for any act or omission by the supervised student or Applicant that constitutes a violation of the Act or this chapter.
- 7608.8 A student shall not receive payment or compensation of any nature, directly or indirectly, for the practice of respiratory therapy. An applicant may be paid a salary based on hours worked.
- 7608.9 A student or Applicant shall be subject to each of the applicable provisions of the Act and this chapter. The Board may deny an application for a license by, or take other disciplinary action against, a student or Applicant who is found to have violated the Act or this chapter, in accordance with Chapter 41 of this title.
- 7608.10 If the Board finds that a student or Applicant has violated the Act or this chapter, the Board may, in addition to any other disciplinary action permitted by the Act, revoke, suspend, or restrict the privilege of the student or Applicant to practice respiratory therapy.

## **7609 STANDARDS OF CONDUCT AND ETHICS**

- 7609.1 A licensed respiratory care practitioner shall:
- (a) Practice medically acceptable methods of treatment;
  - (b) Present his or her skills, training, scope of practice, certification, professional affiliations, or other qualifications in a manner that is not false or misleading;
  - (c) Practice only within the scope of his or her competence, qualifications, and any authority vested in the licensed respiratory care practitioner by a physician;
  - (d) Continually strive to enhance the knowledge and skill set required to render quality respiratory care to each patient;

- (e) Participate in activities to promote community and national efforts to meet the health needs of the public;
- (f) Be familiar with state and federal laws that govern health occupations;
- (g) Promptly report to the Board any information relative to the incompetent, unsafe, illegal, or unethical practice of respiratory therapy or any violation of the Act or this chapter;
- (h) Uphold the dignity and honor of the profession and abide by its ethical principles;
- (i) Cooperate with other health care professionals;
- (j) Provide all services in a manner that respects the dignity of the patient, regardless of the patient's social or economic status, personal attributes, or health problems;
- (k) Refuse any offer of any gift from a patient or friend or relative of a patient for respiratory care provided to the patient;
- (l) Wear an identifying tag or badge that includes the practitioner's full name and the words "licensed respiratory care practitioner" when practicing respiratory therapy; and
- (m) Abide by the National Clinical Practice Guidelines published by the American Association of Respiratory Care (AARC) and any subsequent guidelines published by the AARC.

7609.2 If the Board investigates a respiratory care practitioner in connection with a respiratory care procedure for which no AARC guideline has been adopted, the Board may contract with the District of Columbia Society for Respiratory Care (also known as the Maryland/District of Columbia Society for Respiratory Care) or any licensed respiratory care practitioner for a determination of whether the respiratory care procedure was conducted consistent with acceptable standards of care.

## 7699 DEFINITIONS

7699.1 As used in this chapter, the following terms shall have the meanings ascribed:

**Act** means the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*)



**Applicant** means a person who applies for a license to practice respiratory therapy pursuant to this chapter.

**Board** means the Board of Respiratory Care, established by § 214 of the Act, (D.C. Official Code § 3-1202.14).

Chapter 35 of Title 17 DCMR is amended by adding the following new section to establish license fees for the practice of respiratory therapy:

**RESPIRATORY CARE PRACTITIONERS:**

Initial Application	\$150.00
Renewal	\$135.00
Reinstatement	\$150.00
Reactivation	\$ 50.00
Late Fee (Renewal)	\$100.00